

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-68

v

HON. JANET T. NEFF

RAMI IKBAL SABA,

Defendant.

_____ /

SENTENCING MEMORANDUM

Defendant Rami Ikbal Saba was convicted, following a jury trial, of conspiracy to commit financial institution (“bank”) fraud (Count 1), four counts of attempted bank fraud (Counts 2, 4, 6 and 8), four counts of aggravated identity theft (Counts 3, 5, 7 and 9), conspiracy to commit kidnapping (Count 11), and the substantive crime of kidnapping (Count 12). On September 21, 2011, the Court sentenced defendant to 293 months imprisonment on each of the following counts: 1, 2, 4, 6, 8, 11, and 12, to run concurrently with each other. The Court sentenced Defendant to 24 months imprisonment on each count of aggravated identity theft (Counts 3, 5, 7 and 9) for a total of 96 months, to run consecutively to the 293-month sentences imposed for Counts 1, 2, 4, 6, 8, 11, and 12, for a total combined sentence of 389 months.¹ This memorandum is issued in conjunction

¹Defendant’s sentence also included terms of supervised release and special assessments; fines were waived and the issue of restitution was deferred.

with the written Judgment of Sentence to address any *potential* ambiguity with regard to the Court's reference to Counts 3, 5, 7 and 9 "running concurrently to each other."²

As reflected in the record of the sentencing, upon the Government's request for clarification, the Court confirmed that the 24-month sentences on Counts 3, 5, 7 and 9 were each to run consecutive to the 293-month sentence imposed on the underlying counts. There can be no question that the Court imposed a sentence of 96 months for Counts 3, 5, 7 and 9, which necessarily requires that the sentence imposed on each count run consecutive to each other as well as to the 293-month sentence, as reflected in the Court's oral pronouncement of sentence and the written Judgment of Sentence, for a total sentence of 389 months.

Date: September 26, 2011.

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge

²This reference was likewise incorporated in the docket text of the minutes of the sentencing (Dkt 683), which has since been edited to reflect that the sentences are to run consecutively to each other.